IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION.
CRIMINAL APPEAL No. 516 of 2005

The State of Maharashtra. ..Appellant.

Vs.

Mahendra Govardhan Arya & Anr. Respondents.

WITH

CRIMINAL REVISION APPLICATION No.84 of 2005

Smt.Sunita Mandrekar. ..Applicant.

Vs.

State of Maharashtra & Others. ..Respondents.

WITH

CRIMINAL APPLICATION No.3479 of 2005

The State of Maharashtra ..Applicant.

Vs.

M. G. Arya & Anr. ..Respondents.

In Cri.Appeal No. 516 of 2005.
Mr K. V. Saste, APP for the Appellant.

In Cr.Revn Appln.No. 84 of 2005.
Mr A. S.Khandeparkar i/b Khandeparkar & Asso.
for the Applicant.

Mr K. V. Saste, APP for the Respondent.

In Cri.Appln.No. 3479 of 2005
Mr K. V. Saste, A.P.P.for the Applicant.

CORAM: V.C. DAGA,J.
DATED: 6TH JULY, 2007.

P.C.:-

1. Heard rival parties.

2. Perused application.

3. During the course of hearing, it is brought to my notice that the Revision

Application bearing No. 84 of 2005 and Appeal No. 516 of 2005 both are directed against the order dated 30-4-2004 passed in Summary Criminal Case No. 253 of 1999 by J.M.F.C. Panvel. Learned Sessions Judge Raigad-Alibag by his order dated 15.12.2005 was pleased to set aside the order dated 30-4-2004 in Criminal Appeal No. 35 of 2004 and acquitted the accused Nos. 1 and 2 (present respondent Nos. 2 and 3) for the offence punishable under Sections 451, 354, 384 read with Section 34 of the I.P.C.

4. In the above view of the matter, the cause of action in Criminal Appeal No. 516 of 2005, Revision Application No.84 of 2005 would not survive. Accordingly both proceedings are disposed of for want of cause of action.

5. In view of filing of the Revision Application No. 285 of 2006 by the complainant against the acquittal, Criminal Application No. 3499 of 2005 does not survive and hence stands dismissed.

Sd/-

(V.C. DAGA,J.)